



FEES

DEPARTMENT OF HUMAN SERVICES

SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE
STAFF: CLARE TOBIN LENCE

ISSUE BRIEF

SUMMARY

In accordance with [UCA 63J-1-504](#), an agency is to “submit its fee schedule . . . to the Legislature for its approval on an annual basis.” The following fees are proposed by the Department of Human Services (DHS) for the services it provides.

These fees will generate an estimated \$5,449,900 in FY 2020, which is \$82,800 more than collection estimates for authorized fees in FY 2019. Seventy-seven percent – or \$4,120,800 – is from five child support-related fees.

Of the \$5,270,700 actually collected from fees in FY 2018, \$4,621,500 was retained by the department to support operations and \$649,200 was remitted to the Division of Finance for General Fund purposes.

The department requests one fee change for FY 2020: Increase the Annual Collection Fee in the Office of Recovery Services (ORS) from \$25 to \$35. This change is mandated by the federal government following amendments to Public Law 115-123. The increased fee will generate an estimated \$262,500 in additional revenue, which ORS will remit to the federal government. ORS charges this fee once annually to individuals who request enforcement of child support orders. The department held public hearings regarding this fee change on August 17, 2018. This fee is set in statute in [UCA 62A-11-303.7](#) and will require a separate bill to increase the amount.

The department also removed three fees from the fee schedule: FBI Rapback, Western Identification Network States Rapback, and FBI Fingerprinting. The Office of Licensing remits these fees to the Department of Public Safety (DPS). Because these fees appear in the fee schedule for DPS, listing them in DHS is redundant.

LEGISLATIVE ACTION

After review, the Subcommittee may: 1) approve, 2) increase or decrease and approve, or 3) reject any fee.

The Legislature will provide final approval to the fee schedule in S.B. 8, “State Agency Fees and Internal Service Fund Rate Authorization and Appropriations.”

STATUTORY GUIDANCE FOR SETTING FEES

[UCA 63J-1-504](#) states the following for setting fees:

“(2) Each fee agency shall adopt a schedule of fees assessed for services provided by the fee agency that are:

- (a) reasonable, fair, and reflect the cost of services provided; and
- (b) established according to a cost formula determined by the executive director of the Governor's Office of Management and Budget and the director of the Division of Finance in conjunction with the agency seeking to establish the fee.”

“(4) Each fee agency that is proposing a new fee or proposing to change a fee shall:

- (a) present each proposed fee at a public hearing.”

PROPOSED FEES FOR FY 2020

Table 1 shows the proposed fee rates for FY 2020. Cells highlighted in orange show changes to fee amounts or quantities. Strikeouts designate fees removed from the schedule since FY 2019.

Department of Human Services -- Fees									
FY 2020									
Unit	Fee	Additional information	Old Fee FY 19	New Fee FY 20	Fee Change	Old Quantity	New Quantity	Revenue Change	Estimated FY20 Revenue
Government Records Access Management Act (all DHS)	Paper		0.25	0.25	0	1,000	1,000	0	250
	Audio tape		5.00	5.00	0	20	20	0	100
	Video tape		15.00	15.00	0	10	10	0	150
	Compiling and reporting	In another format (per hour)	25.00	25.00	0	10	10	0	250
		If programmer/analyst assistance is required (per hour)	50.00	50.00	0	10	10	0	500
	Mailing	Actual cost	0.00	0.00	0	1	1	0	0
EDO Licensing	Initial license	Any new Human Services program	900.00	900.00	0	125	165	36,000	148,500
	FBI Rapback		13.00	0.00	(13)	1,000	0	(13,000)	0
	Western Identification Network (WIN) States Rapback		5.00	0.00	(5)	16,165	0	(80,825)	0
	FBI Fingerprinting		34.75	34.75	0	4,200	0	(145,950)	0
	Online Background Check Application Fee		5.00	5.00	0	19,000	20,000	5,000	100,000
	Recovery Residences	Initial license	1,295.00	1,295.00	0	23	30	9,065	38,850
		Renewal	500.00	500.00	0	35	75	20,000	37,500
	Child Placing Adoption		750.00	750.00	0	20	20	0	15,000
	Child Placing Foster		250.00	250.00	0	50	55	1,250	13,750
	Day Treatment		450.00	450.00	0	270	270	0	121,500
	Outpatient Treatment	Initial license	300.00	300.00	0	460	460	0	138,000
	Residential Support	Initial license	300.00	300.00	0	210	250	12,000	75,000
	Adult Day Care	0-50 consumers per program	300.00	300.00	0	8	8	0	2,400
		More than 50 consumers	600.00	600.00	0	1	1	0	600
		Per licensed capacity	9.00	9.00	0	250	250	0	2,250
	Residential Treatment	Basic	600.00	600.00	0	190	190	0	114,000
		Per licensed capacity	9.00	9.00	0	3,900	3,900	0	35,100
	Social Detoxification		600.00	600.00	0	12	12	0	7,200
	Life Safety Pre-inspection		600.00	600.00	0	50	50	0	30,000
	Outdoor Youth Program	Basic	1,408.00	1,408.00	0	12	12	0	16,896
	Intermediate Secure Treatment	Basic	750.00	750.00	0	10	10	0	7,500
		Per licensed capacity	9.00	9.00	0	700	900	1,800	8,100
	Therapeutic School Program	Basic	600.00	600.00	0	7	7	0	4,200
		Per licensed capacity	9.00	9.00	0	150	150	0	1,350

FEES - THE DEPARTMENT OF HUMAN SERVICES 2016 GENERAL SESSION

Utah State Hospital	Photo Shoots	Per 2 hours	20.00	20.00	0	200	200	0	4,000
	Use of USH Facilities	Groups of up to 50 people (per day)	75.00	75.00	0	20	20	0	1,500
		Groups over 50 people (per day)	150.00	150.00	0	20	20	0	3,000
DSAMH Sub Abuse Services	Alcoholic Beverage Server	On Premise & Off Premise Sales Training	3.50	3.50	0	22,830	22,830	0	79,905
Utah State Developmental Center (USDC)	USDC Theater Rental	Full Day (per square foot)	0.10	0.10	0	68,000	68,000	0	6,800
		Theater Technician (per hour)	20.00	20.00	0	160	160	0	3,200
		Hourly (per square foot)	0.0175	0.0175	0	51,400	51,400	0	900
		Half Day (per square foot)	0.07	0.07	0	60,000	60,000	0	4,200
DSPD Physical Disability Services	Graduated	Critical Support Services for People with Disabilities who are non-Medicaid matched. The fee ranges between 1% to 3% of Gross Family Income.	630.00	630.00	0	9	9	0	5,670
ORS Child Support	Automated Credit Card Convenience		2.00	2.00	0	24,000	19,000	(10,000)	38,000
	Collections Processing	6% of payment being disbursed up to a maximum of \$12 per month	12.00	12.00	0	270,900	256,608	(171,504)	3,079,296
	Assisted Credit Card Convenience		6.00	6.00	0	6,500	8,500	12,000	51,000
	Federal Offset		25.00	25.00	0	4,000	3,900	(2,500)	97,500
	Annual Collection Fee		25.00	35.00	10	27,300	27,000	262,500	945,000
DCFS Service Delivery	Live Scan Testing		10.00	10.00	0	6,400	6,500	1,000	65,000
Total Estimated Revenue for FY 2020								(63,164)	5,303,917

Table 1

APPENDIX – DESCRIPTION OF FEES

GRAMA Records paper, audio tape, video tape, reporting in another format, and records mailing – Department-Wide - Fees are for the costs associated with producing, providing, or compiling information requests and the delivery of that information.

Initial License (new program) – Office of Licensing – \$900 per facility, initial licensing fee for new treatment programs not previously licensed by the department.

~~**FBI Rapback – Office of Licensing –** \$13 per individual applicant to pay for a Utah background screening subscription.~~

~~**Western Identification Network (WIN) States Rapback – Office of Licensing –** \$5 per individual applicant to pay for a Utah background screening subscription.~~

~~**FBI Fingerprint Check (Live Scan) – Office of Licensing –** \$34.75 per person requiring a fingerprint-based background screen via Live Scan.~~

Online Background Check Application Fee - \$5 per applicant fee to help with Office of Licensing costs such as credit card fees, Utah Interactive fees, and programming costs for online background checks.

Recovery Residences– Office of Licensing - \$1,295 per facility for an initial license and \$500 for a renewal to provide services related to substance abuse disorder at a recovery residence.

Adult Day Care (0-50 consumers/program) – Office of Licensing - \$300 per facility providing day care services to fewer than 50 vulnerable adults.

Adult Day Care (>50 consumers/program) – Office of Licensing - \$600 per facility providing day care services to more than 50 vulnerable adults.

Adult Day Care per licensed capacity – Office of Licensing - \$9 per person times the facility capacity added to base fee.

Child Placing Adoption – Office of Licensing - \$750 per agency providing adoption.

Child Placing Foster Care – Office of Licensing - \$250 per agency providing foster care, for initial licenses and renewals.

Day Treatment – Office of Licensing - \$450 per non-residential facility providing specialized treatment services to clients during the day.

Outpatient Treatment – Office of Licensing - \$300 per facility providing individual therapy, group, or family counseling services.

Residential Support – Office of Licensing - \$300 per facility providing residential support (i.e., supervised living environment, shelter care, sober living, etc.) services.

Residential Treatment – Office of Licensing - \$600 per facility providing 24-hour specialized treatment services to persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies.

Residential Treatment per licensed capacity - Office of Licensing - \$9 per person times the facility capacity added to base fee.

Social Detoxification – Office of Licensing - \$600 per facility providing non-medical detoxification services.

Life Safety Pre-inspection – Office of Licensing - \$600 for a Life-Safety inspection per facility providing residential services for disabled persons as required by federal law.

Outdoor Youth Program – Office of Licensing - \$1,408 per program providing youth wilderness therapy services.

Intermediate Secure Treatment – Office of Licensing - \$750 per facility providing residential treatment services in a secure setting.

Intermediate Secure Treatment per licensed capacity – Office of Licensing - \$9 per person times the facility capacity added to base fee.

Therapeutic School Program – Office of Licensing - \$600 per facility providing therapeutic boarding school services.

Therapeutic School Program per licensed capacity - Office of Licensing - \$9 per person times the facility capacity added to base fee.

Alcoholic Beverage Server Fee (On Premise and Off Premise Sales) – Division of Substance Abuse and Mental Health - A \$3.50 fee charged to maintain a database of individuals who have completed on-premise and off-premise alcohol sales training.

Photo Shoots – Utah State Hospital – A \$20 fee per two hours charged for use of the grounds for photo shoots.

Use of USH Facilities – Utah State Hospital – A \$75 fee charged per day for outside groups (up to 50 individuals) for use of portions of the State Hospital grounds in non-patient areas.

Use of USH Facilities – Utah State Hospital – A \$150 fee charged per day for outside groups (over 50 individuals) for use of portions of the State Hospital grounds in non-patient areas.

USDC Theater Full Day – Utah State Developmental Center (USDC) – A \$0.10 fee charged per square foot for rental of the USDC Theater for a full day. Units are based on estimate and subject to change.

USDC Theater Technician – Utah State Developmental Center (USDC) – A \$20 fee charged per hour for use of sound, lighting, and/or stage equipment for a technician assistant. Units are based on estimate and subject to change.

USDC Theater Hourly – Utah State Developmental Center (USDC) – A \$0.0175 fee charged per square foot for one hour rental of the USDC Theater. Units are based on estimate and subject to change.

USDC Theater Half Day – Utah State Developmental Center (USDC) – A \$0.07 fee charged per square foot for half-day (up to 4 hours) rental of the USDC Theater. Units are based on estimate and subject to change.

Graduated Fee - Critical Support Services for People with Disabilities (Non-Medicaid Matched) – Division of Services for People with Disabilities – Graduated fee is assessed based on ability to pay and is used to pay part of the cost of support services incurred by an individual with severe disabilities who does not participate in one of the division's federal Medicaid waiver programs.

Recovery Services Collections Processing Fee - Office of Recovery Services – Fee based upon 6 percent of the payment being disbursed up to a maximum of \$12 per month.

Automated Credit Card Convenience Fee – Office of Recovery Services – A \$2 assessed when ORS accepts a credit/debit card payment over an automated system (internet or automated phone system) for child support or other payments made by non-custodial/custodial parents or other non-child support payments owed the State of Utah.

Assisted Credit Card Convenience Fee – Office of Recovery Services – A \$6 fee assessed when ORS accepts a credit/debit card payment requiring worker assistance for child support or other payments made by non-custodial/custodial parents or other non-child support payments owed the State of Utah.

Recovery Services Federal Offset - Office of Recovery Services – A \$25 fee retained by ORS to cover federal services charges for federal offset (i.e. federal tax refund) payments related to owed child support.

Annual Collection Fee - Office of Recovery Services – A \$35 annual fee collected from individuals who request that ORS enforce a child support order. These individuals are not enrolled in certain public benefit programs (i.e. TANF) that require ORS enforcement; they are voluntarily requesting ORS services. This fee is remitted to the federal government (or retained and used to reduce ORS' draw down of federal funds). The fee is set in statute in UCA 62A-11-303.7.

Live Scan Testing Fees (DCFS) - Division of Child and Family Services – A \$10 fee charged to foster parents, adoptive parents, kinship caregivers, proctor parents and contracted provider employees who will have direct access to children. These individuals have an electronic scan of finger prints sent to the Department of Public Safety Bureau of Criminal Identification to be run against Utah criminal records and the FBI criminal database. This testing fulfills State and federal law requirements. The fee partially offsets the cost for DCFS staff to administer the tests.